

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

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ROBERT S. NELSON,

Plaintiff,

- against -

Civ. Case No.: 9507-07
(RJS)

METRO FUEL OIL CORPORATION,

**AMENDED AFFIRMATION
OF SERVICE**

Defendant.

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(ECF Filed)

Anthony F. Valente, of full age, hereby affirms as follows:

1. I am an attorney at law admitted to practice before the United States District Court for the Southern District of New York. I am associated with the law offices of Calo Agostino, P. C., attorneys for the Defendant in the above captioned matter.

2. On November 16, 2007, I did forward by electronic mail or Federal Express, an Answer and Affirmation of Service to the counsel to the Plaintiff, HORING WELIKSON & ROSEN, P.C., Niles C. Welikson, Esq., 11 Hillside Avenue, Williston Park, New York 11596.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

CALO AGOSTINO, P.C.

Dated: February 28, 2008

By: /s/ Anthony F. Valente
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Metro Fuel Oil Corporation